

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARKEL INSURANCE COMPANY)

Plaintiff,)

vs.)

INDUSTRIAL REALTY GROUP, LLC)

IRG LORAIN, LLC)

IRG REALTY ADVISORS, LLC)

Defendants,)

FREDERICK HAST III and BRENDA HAST,)

husband and wife)

STATEWIDE CONSTRUCTION COMPANY)

STATE OF OHIO BUREAU OF WORKERS')

COMPENSATION)

JOHN DOE AND/OR JOHN DOE INC. 1-10)

Necessary Party Defendants,)

and)

HARTFORD INSURANCE COMPANY OF)

THE MIDWEST d/b/a THE HARTFORD)

Counterclaim Defendants)

CASE NO. 1:17-cv-01952-PAG

JUDGE PATRICIA A. GAUGHAN

MOTION TO DISMISS WITHOUT PREJUDICE

Now comes Plaintiff, Markel Insurance Company ("MIC"), pursuant to Fed. R. Civ. P. 41(a)(2), and respectfully submits the following Motion to Dismiss without Prejudice:

1. This is an insurance coverage declaratory judgment action. This case pertains to the rights and duties of MIC and Defendants, Industrial Realty Group, IRG Lorain, LLC and IRG Realty Advisors, LLC, (collectively "IRG Defendants") under a policy of insurance issued by MIC to Industrial Realty Group in 2014 with respect to the matter filed in the Court of Common

GRANTED FOR ALL THE REASONS STATED
IN THE MOTION AND REPLY BRIEF.

/s/ Patricia A. Gaughan

9/5/18